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January 6, 2025

A suggestion of settlement having been made, this case is dismissed. If the settlement is not consummated within 60 days of this order, or an authorized enlarged date, either party may apply by letter for restoration of the action within 10 days after the close of said period. All pending court dates are cancelled. The Clerk is directed to close the case.

VIA ECF

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007


Alvin K. Hellerstein, U.S.D.J.

Date: 1-7-25

WATKINS

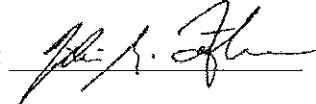
Re: John Brian Clark et al. v. Energy Vault Holdings, Inc. Case No. 24-cv-5870-AKH

Dear Judge Hellerstein:

The parties in the above-captioned action have reached a settlement-in-principle to resolve all claims in the above-captioned action. The parties are currently negotiating the remaining terms of the settlement agreement. Accordingly, the parties respectfully request that the Court issue an immediate stay and vacate all deadlines in light of the settlement. In the alternative, the parties are amenable to having the Court administratively close the case with leave to reopen the case within 60 days if the parties notify the Court that they did not reach a settlement before that date. Counsel for the parties are available to discuss at the Court's convenience. We appreciate Your Honor's consideration of this request.

Respectfully submitted,

FEDERMAN & SHERWOOD

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